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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/887,188
	<b>Filing Date</b>	June 22, 2001
	<b>First Named Inventor</b>	BURGESS, et al.
	<b>Group Art Unit</b>	2163
	<b>Examiner Name</b>	n/a
<b>Total Number of Pages in This Submission</b>	<b>Attorney Docket Number</b>	05222.00141

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <div>Remarks</div>	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Statement of Facts in Support of Request for Declaration of Unavailability of Inventor, Exhibits A to C</b> <b>Request for Declaration of Unavailability of Inventor under 37 CFR 1.47</b> <b>13 Executed Joint Declarations</b> <b>Certificate of Mailing</b> <b>Return Postcard</b>

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual name</b>	Charles L. Miller (Reg. No. 43,805) Banner & Witcoff, Ltd.
<b>Signature</b>	
<b>Date</b>	March 15, 2002

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service, via First Class Mail, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

<b>Typed or printed name</b>			
<b>Signature</b>		<b>Date</b>	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 2,090

## Complete if Known

Application Number 09/887,188  
Filing Date June 22, 2001  
First Named Inventor BURGESS  
Examiner Name n/a  
Group / Art Unit 2163  
Attorney Docket No. 05222.00141

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number

19-0733

Deposit  
Account  
Name

Banner & Witcoff, Ltd.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	** = 0	X	= 0
Independent Claims	** = 0	X	= 0
Multiple Dependent		X	= 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	1,960
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petition to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (a)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 2,090

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type) CHARLES L. MILLER Registration No. Attorney/Agent 43,805 Telephone 312-715-1000  
Signature *Charles L. Miller* Date March 15, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



**UNITED STATES PATENT AND TRADEMARK OFFICE**

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/887,188	06/22/2001	Levitt	05222.00141

**CONFIRMATION NO. 7248**

**FORMALITIES LETTER**



\*OC00000006425299\*

Timothy C. Meece  
BANNER & WITCOFF, LTD.  
Ten South Wacker Drive, Suite 3000  
Chicago, IL 60606-7407

Date Mailed: 08/15/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/20/2002 CNGUYEN 00000003 190733 09887188

02 FC:105 130.00 CH



Express Mail No. EL950971419US

Deposited March 15, 2002

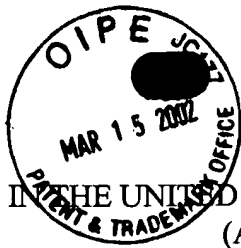
I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to: BOX MISSING PARTS, Customer Service Center, Initial Patent Examination Division, Assistant Commissioner for Patents, Washington, DC 20231.

By: \_\_\_\_\_

(person *actually* depositing)

Patent Application of: Burgess, et al.  
Serial No.: 09/887,188  
Attorney Docket No. 05222.00141  
Title: A System, Method and Article of Manufacture for a Simulation Enabled Retail Management Tutorial System

1	1 sheet	Request for Declaration of Unavailability of Inventor (Lauren E. Haff)
1	4 sheets	Statement of Facts in Support of Request for Declaration of Unavailability of Inventor Under 37 CFR 1.47
3	11 sheets	Exhibits A through C
13	65 sheets	Joint Declarations for Patent Application, executed by the remaining inventors
1	1 sheet	Petition for Extension of Time Under 37 CFR 1.136(a)
1	1 sheet	Copy of Notice to File Missing Parts dated August 15, 2002
1		Certificate of Mailing
1		Return Postcard



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 05222.00141)

In the Application of: )

Burgess, et al. )

Serial No.: 09/887,188 )

Filed: June 22, 2001 )

For: A System, Method and Article of Manufacture  
for a Simulation Enabled Retail Management  
Tutorial System )

) Group Art Unit:

) 2163

)  
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RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts  
Customer Service Center  
Initial Patent Examination Division  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. Transmitted herein, to support the missing signature on the Declaration and Power of Attorney, are the following documents:

- Request for Declaration of Unavailability of Inventor (Lauren E. Haff) (1 sheet)
- Statement of Facts in Support of Request for Declaration of Unavailability of Inventor Under 37 CFR 1.47 (4 sheets)
- Exhibits A through C (11 sheets)
- 13 Joint Declarations for Patent Application, executed by the remaining inventors (65 sheets)
- Petition for Extension of Time Under 37 CFR 1.136(a) (1 sheet)
- Copy of Notice to File Missing Parts dated August 15, 2002

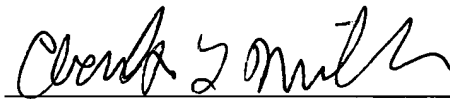
2. The Commissioner is hereby authorized to charge payment of \$2,090.00 associated with this communication, or credit any overpayment, to Deposit Account No. 19-0733. Two additional copies of this sheet are attached.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: March 15, 2002

By:



Charles L. Miller

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Ten South Wacker Drive, 30th Flr.

Chicago, Illinois 60606-7407

Tel. +00 1 312 715-1000

Attorneys for Applicants